

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Crim. No. 01-455-A
)	Hon. Leonie M. Brinkema
ZACARIAS MOUSSAOUI)	

GOVERNMENT’S RESPONSE TO DEFENDANT’S
MOTION FOR EXPERT TESTING OF COMPUTER EVIDENCE

The United States does not oppose the defendant’s motion (docket number 449) that apparently requests access to specified computer evidence seized by the United States so that such evidence can be tested by defense forensic experts.¹

The United States has previously produced to the defense and the defendant all computer media seized from the defendant. In addition, the Government has produced to the defense computer media seized from Mukkarum Ali and the University of Oklahoma. The United States did not seize any computers from Kinko’s in Eagan, Minnesota.²

¹ The defendant demands a forensic examination of Mukkarum Ali’s computer, a computer at Kinko’s, Eagan, Minnesota, and “Oklahoma University PCs.”

² For the benefit of the defendant and the Court, the United States represents that Kinko’s “scrubs” each day the computers it rents to the public. As the defendant notes, he used a Kinko’s computer “to surf the net” “a few day before my arrest [sic].” (Def. Mem. at 1) Thus, the Kinko’s computers used by the defendant were cleaned by Kinko’s before the FBI got to Kinko’s to investigate the defendant. The United States recovered no evidence of the defendant’s admitted use of the internet from computers at Kinko’s in Eagan, Minnesota.

The United States will make available to defense experts such computer media for their forensic examination.

Respectfully Submitted,

Paul J. McNulty
United States Attorney

By: /s/
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Kenneth M. Karas
David J. Novak
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I certify that on August 26, 2002, a copy of the foregoing Government's Response to Defendant's Motion for Expert Testing of Computer Evidence was sent by hand delivery, via the United States Marshal's Service to:

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Alexandria, Virginia 22314

I further certify that on the same day a copy of the same attached pleading was sent by facsimile and regular mail to:

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